

R. Kent
3/5/03
#35

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| Request For Continued Examination (RCE) Transmittal | | PTO/SB/30/ | |
|---|--|-----------------------------------|-------------------|
| <p>Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995. See the American Inventors Protection Act of 1999 (AIPA)</p> <p>This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.</p> <p>NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, File Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule 65 Fed. Reg. 14864 (mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.</p> | | Application Number | 09/090,067 |
| | | Filing Date | June 3, 1998 |
| | | First Named Inventor | Redmond et al. |
| | | Group Art Unit | 3722 |
| | | Examiner Name | M. Henderson |
| | | Attorney Docket Number | P0540 |
| <p>1. Submission required under 37 C.F.R. § 1.114</p> <p>a. <input type="checkbox"/> Previously submitted</p> <p>i. <input type="checkbox"/> Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered.)</p> <p>ii. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____</p> <p>iii. <input type="checkbox"/> Other _____</p> <p>b. <input checked="" type="checkbox"/> Enclosed</p> <p>i. <input checked="" type="checkbox"/> Amendment/Response</p> <p>ii. <input type="checkbox"/> Affidavit(s)/Declaration(s)</p> <p>iii. <input type="checkbox"/> Information Disclosure Statement (IDS)</p> <p>iv. <input type="checkbox"/> Other _____</p> <p>2. Miscellaneous</p> <p>a. <input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)</p> <p>b. <input type="checkbox"/> Other _____</p> <p>3. Fees The RCE fee under 37 C.F.R. § 1.114 when the RCE is filed.</p> <p>a. <input checked="" type="checkbox"/> The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. <u>50-1071</u>.</p> <p>i. <input checked="" type="checkbox"/> RCE fee required under 37 C.F.R. § 1.17(e)</p> <p>ii. <input checked="" type="checkbox"/> Extension of time fees (37 C.F.R. §§ 1.136 AND 1.17)</p> <p>iii. <input type="checkbox"/> Other _____</p> | | | |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED | | | |
| Name (Print/Type) | | Marianne McLaughlin Downing | |
| Signature | | Registration No. (Attorney/Agent) | 42,870 |
| | | Date | 2/24/03 |
| | | February 24, 2003 | |
| CERTIFICATE OF MAILING OR TRANSMISSION | | | |
| I hereby certify that this correspondence is being deposited by fax to 703-872-9303 to Commissioner for Patents, Box RCE, Washington, D.C. 20231 on February 24, 2003. | | | |
| Name (Print/Type) | | Marianne McLaughlin Downing | |
| Signature | | Date | February 24, 2003 |

Facsimile Transmittal

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Date: February 24, 2003
To: Examiner M. Henderson
Fax Number: 703-872-9303
From: Marianne McLaughlin Downing
Pages: 16
✓✓ Urgent


Re: U.S. Patent Application No. 09/090,067
Filed: June 3, 1998
For: IDENTIFICATION DOCUMENT WITH
DOCUMENT SPECIFIC REDUCED
SCALE PRINTING
Art Unit: 3722
Docket No: P0540D
☐ For Review ☐ Please Reply

FACSIMILE COVER LETTER

Attached is an Amendment and Response accompanying a Request for Continued Examination for the above referenced matter.

CERTIFICATE OF FAXING

I hereby certify that these papers are being facsimile transmitted to the US Patent Office, 703-872-9303 on February 24, 2003.


Marianne McLaughlin Downing, Reg. No. 42,870
Attorney for Applicant

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MD:imp 02/24/03 P0540

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3/5/03
#36/F
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Redmond et al.

Art Unit 3722

Application No.: 09/090,067


Confirmation No.: 3497

Filed: June 3, 1998

For: IDENTIFICATION DOCUMENT WITH
DOCUMENT SPECIFIC REDUCED
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Examiner: M. Henderson


Marianne McLaughlin Downing, Reg. No. 42,870
Attorney for Applicant

Date: February 24, 2003

AMENDMENT AND RESPONSE ACCOMPANYING RCE

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

This Amendment and Response accompanies a concurrently filed Request for Continued Examination (RCE). This Amendment and Response also responds to the Final Rejection dated August 22, 2002. Note that Applicants are using the Revised Amendment Format which was announced as permissible for all applicants in a 1/31/03 notice posted to the United States Patent Office web page.

Responsive to the Office Action dated August 22, 2002, please amend the subject application as follows: